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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,193	12/08/2003	Susan K. Clark	ABW 001	4353
7590	03/16/2006		EXAMINER	
SUSAN CLARK SUITE 105 C 38 9101 W. SAHARA AVENUE LAS VEGAS, NV 89135			TOMPKINS, ALISSA JILL	
			ART UNIT	PAPER NUMBER
			3765	

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/731,193	Applicant(s) CLARK, SUSAN K.	
	Examiner Alissa J. Tompkins	Art Unit 3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 4, 6, 10-12, and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Crispin (U.S. 5,465,425). Crispin discloses a fishing garment with removable pockets comprising, an outer garment shell having a plurality of pockets. Each pocket has a back face and a front face and coupling means interconnecting the pockets to the garment (Column 2, 8-14). The coupling means may include a plurality of pile fasteners located on the outside of the garment and on the back face of the pockets to securely keep the pocket in place on the garment (Column 3, 29-33). The removable pockets and the garment shell are both capable of being disposed of or reused after cleaning based on the wearer's discretion.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 5, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crispin (U.S. 5,465,425). Crispin discloses the invention substantially as applied in claims 1, 3, 4, 6, 10-12, and 14-16 above. However, Crispin does not use multiple garments with multiple/specific attachment points for pockets or specify the use of snaps or buckles to attach the pockets to the garment. Multiples of the same structure do not hold any additional weight and would be obvious in regard to the invention. A plurality of pockets are provided in Crispin's invention, having specifically four removable attachment points would be an obvious modification. Applicant has not provided any criticality to the placement of the attachment points on the garment, the optimal placement of the attachment points may vary depending on the environment in which the garment is worn. Modifying the position to the optimal location would be obvious to one of ordinary skill in the art. The removable pockets are capable of being placed anywhere on the outside of the garment including the right and left chest and waist areas. Crispin uses pile fastener to attach the removable pockets to the garment. It would be obvious to use various types of fasteners to attach the pockets to the garment such as snap-type closure or buckles.

Claims 9, 13, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crispin in view of Winston (U.S. 6,669,608). Crispin discloses the invention substantially as applied in claims 1, 3, 4, 6, 10-12, and 14-16 above. However, Crispin

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is missing a pocket that is divided into at least two compartments. Winston shows an adjustable vest comprising a plurality of weight receiving vest pockets (Column 3, 40-43) (Figures 1 and 2). A pouch-forming sheet 47 is sewn or secured to outward sheet 43 along the periphery and along spaced vertical lines in order to form a plurality of side-by-side compartments (Column 4, 3-7) (Figure 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of Winston to modify Crispin in order to provide a pocket with multiple compartments that is capable of carrying a plurality of items at one time.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. McSheffery (U.S. 5,063,614) shows a reversible garment having detachable pockets. Inagaki (U.S. 5,031,244) and Stewart et al. (U.S. 5,031,244) show garments with pockets that attach with hook and loop fastener. Herder (U.S. 6,397,398) shows a removable pocket and attachment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alissa J. Tompkins whose telephone number is 571-272- 3425. The examiner can normally be reached on M-F 830-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on 571-272-4983. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alissa Tompkins
Patent Examiner
Art Unit 3765
March 9, 2006

AJT


JOHN J. CALVERT
SUPERVISORY PATENT EXAMINER
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